

Feb 07, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CARRIE A.,¹

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 2:23-cv-00278-LRS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand,
ECF No. 11. Based on the stipulation of the parties, the Court finds good cause to
grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

ORDERED:

1. Defendant's Stipulated Motion for Remand, **ECF No. 11** is **GRANTED**.

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

3. On remand, the ALJ shall take action to complete the administrative record, offer the claimant the opportunity for a hearing, and issue a new decision.

The ALJ shall discuss the supportability and consistency of the opinion of

Susan Burke, Psy.D. The ALJ shall also, as necessary: reconsider the

claimant's impairments at steps two and three; reconsider the claimant's

subjective statements; reconsider the nonmedical evidence; reconsider the

medical opinion evidence; reconsider the claimant's residual functional

capacity; and reconsider the claimant's ability to work at steps four and five.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's opening brief, **ECF No. 7**, and the hearing and remaining briefing schedule are **VACATED** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED February 7, 2024.



LONNY R. SUKO

Senior United States District Judge